

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
 )  
v. ) Case No. 1:17-cr-00224-AT-CMS  
 )  
ALLEN J. PENDERGRASS, )  
Defendant. )  
\_\_\_\_\_ )

**DEFENDANT’S PROPOSED VERDICT FORM**

**As to the following counts, we the jury unanimously find Defendant Allen Pendergrass:**

Count	Date (On or About)	Mailing	
1	4/5/2013	Check in the amount of \$8,000 payable to Johnson, Coleman & Stephenson LLC C/o Asset Financial Recovery	Not Guilty _____ Guilty _____

**If you find the Defendant guilty of Count 1, answer the following question. If you find the Defendant not guilty of Count 1, go to Count 2.**

**As to Count 1, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ materially false and fraudulent pretenses

\_\_\_\_\_ false and fraudulent representations,

\_\_\_\_\_ false and fraudulent promises

\_\_\_\_\_ omission of material facts

Count	Date (On or About)	Mailing	
2	5/13/2013	Check in the Amount of \$76,636.28 payable to Asset Financial Recovery, Inc., C/O Georgia Municipal Association	Not Guilty _____ Guilty _____

**If you find the Defendant guilty of Count 2, answer the following question. If you find the Defendant not guilty of Count 2, go to Count 3.**

**As to Count 2, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ materially false and fraudulent pretenses

\_\_\_\_\_ false and fraudulent representations,

\_\_\_\_\_ false and fraudulent promises

\_\_\_\_\_ omission of material facts

Count	Date (On or About)	Mailing	
3	5/13/2013	Check in the amount of \$26,874.42 payable to Asset Financial Recovery, Inc., C/O Long Weinbery, Ansley& Wheeler	Not Guilty _____ Guilty _____

**If you find the Defendant guilty of Count 3, answer the following question. If you find the Defendant not guilty of Count 3, go to Count 4.**

**As to Count 3, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ materially false and fraudulent pretenses  
 \_\_\_\_\_ false and fraudulent representations,  
 \_\_\_\_\_ false and fraudulent promises  
 \_\_\_\_\_ omission of material facts

Count	Date (On or About)	Mailing	
4	5/13/2013	Check in the Amount of \$14,875.67 payable to Asset Financial Recovery, Inc. C/O James H. Bone, Trustee	Not Guilty _____ Guilty _____

**If you find the Defendant guilty of Count 4, answer the following question. If you find the Defendant not guilty of Count 4, go to Count 5.**

**As to Count 4, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ materially false and fraudulent pretenses  
 \_\_\_\_\_ false and fraudulent representations,  
 \_\_\_\_\_ false and fraudulent promises  
 \_\_\_\_\_ omission of material facts

Count	Date (On or About)	Mailing	
5	5/13/2013	Check in the Amount of \$11,000 payable to Asset Financial Recovery, Inc., C/O Actors Express	Not Guilty _____ Guilty _____

**If you find the Defendant guilty of Count 5, answer the following question. If you find the Defendant not guilty of Count 5, go to Count 6.**

**As to Count 5, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ materially false and fraudulent pretenses

\_\_\_\_\_ false and fraudulent representations,

\_\_\_\_\_ false and fraudulent promises

\_\_\_\_\_ omission of material facts

**As to Count 6 (money laundering conspiracy), we the jury unanimously find the Defendant Allen Pendergrass:**

\_\_\_\_\_ Not Guilty

\_\_\_\_\_ Guilty

**As to Count 7 (aggravated identity theft) (S.J.), we the jury unanimously find the Defendant Allen Pendergrass:**

\_\_\_\_\_ Not Guilty

\_\_\_\_\_ Guilty

**If you find the Defendant guilty of Count 7, answer the following question. If you find the Defendant not guilty of Count 7, go to Count 8.**

**As to Count 7, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ knowingly transferred the name and signature of S.J. without lawful authority

\_\_\_\_\_ knowingly possessed the name and signature of S.J. without lawful authority

\_\_\_\_\_ knowingly used the name and signature of S.J. without lawful authority

**As to Count 8 (aggravated identity theft) (L.C.), we the jury unanimously find the Defendant Allen Pendergrass:**

\_\_\_\_\_ Not Guilty

\_\_\_\_\_ Guilty

**If you find the Defendant guilty of Count 8, answer the following question. If you find the Defendant not guilty of Count 8, go to Count 9.**

**As to Count 8, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ knowingly transferred the name and signature of L.C. without lawful authority

\_\_\_\_\_ knowingly possessed the name and signature of L.C. without lawful authority

\_\_\_\_\_ knowingly used the name and signature of L.C. without lawful authority

**As to Count 9 (aggravated identity theft) (J.B.), we the jury unanimously find the Defendant Allen Pendergrass:**

\_\_\_\_\_ Not Guilty

\_\_\_\_\_ Guilty

**If you find the Defendant guilty of Count 9, answer the following question. If you find the Defendant not guilty of Count 9, go to Count 10.**

**As to Count 9, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ knowingly transferred the name and signature of J.B. without lawful authority

\_\_\_\_\_ knowingly possessed the name and signature of J.B. without lawful authority

\_\_\_\_\_ knowingly used the name and signature of J.B. without lawful authority

**As to Count 10 (aggravated identity theft) (F.A.), we the jury unanimously find the Defendant Allen Pendergrass:**

\_\_\_\_\_ Not Guilty

\_\_\_\_\_ Guilty

**If you find the Defendant guilty of Count 10, answer the following question.**

**As to Count 10, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:**

\_\_\_\_\_ knowingly transferred the name and signature of F.A. without lawful authority

\_\_\_\_\_ knowingly possessed the name and signature of F.A. without lawful authority

\_\_\_\_\_ knowingly used the name and signature of F.A. without lawful authority

**SO SAY WE ALL.**

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**DATE**

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**FOREPERSON**

Respectfully submitted this 24<sup>th</sup> day of November 2021.

/s/SARALIENE S. DURRETT

Saraliene S. Durrett

GA Bar No. 837897

Counsel for Mr. Pendergrass

**CERTIFICATE OF SERVICE**

This is to certify that the undersigned has this date electronically filed the proposed verdict form with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

All Defense Counsel

All AUSAs of record

Respectfully submitted this 24<sup>th</sup> day of November 2021.

/s/SARALIENE S. DURRETT

Saraliene S. Durrett

GA Bar No. 837897

Counsel for Mr. Pendergrass